

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

ELECTRICAL WORKERS PENSION TRUST FUND  
OF LOCAL UNION #58, IBEW, *et al.*

Plaintiffs,

Case No. 04-70525

v.

Hon. John Corbett O'Meara

CONSOLIDATED ELECTRIC AND  
TECHNOLOGY ASSOCIATES CORPORATION,  
Defendant.

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**AMENDED JUDGMENT IN FAVOR OF PLAINTIFFS**

**THIS MATTER** came before the Court on Plaintiffs' Motion to Amend Judgment, and the Court finding good cause to grant the relief requested pursuant to Fed. R. Civ. P. 60(b)(6), therefore, the Judgment entered in this matter on August 20, 2004 is amended as follows:

**IT IS ORDERED** that this Amended Judgment is entered for Plaintiffs and against Defendant Consolidated Electric and Technology Associates Corporation ("Defendant") in the amount of \$118,592.97,<sup>1</sup> as of the date hereof, plus interest accruing at the statutory rate, with full rights of execution thereon; and

**IT IS FURTHER ORDERED** that the December 19, 2003 Awards of the Joint Labor-Management Committee attached to the Complaint as Exhibits C and F are hereby confirmed and

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<sup>1</sup> The amount of the Amended Judgment consists of the amount of the Judgment entered on August 20, 2004, \$140,888.86, for amounts owed by Defendant as of July 22, 2004, plus statutory interest accrued thereon through July 5, 2005, less payments collected thereon by Plaintiffs in the amount of \$136,024.62, plus additional indebtedness accrued to the Electrical Workers' Joint Fringe Benefit Funds for the time period of July 31, 2004 through October 2, 2004 and to the National Electrical Benefit Fund for the time period of July, 2004 through December, 2004 in the aggregate amount of \$111,701.50.

that, pursuant to said Awards, Defendant must submit fringe benefit contribution reports to Plaintiff National Electrical Benefit Fund for the months April, 2004 through the date of this Amended Judgment and pay all contributions and liquidated damages owed as reflected in said reports, in compliance with its collective bargaining agreement; and

**IT IS FURTHER ORDERED** that Defendant hereafter shall submit all reports and pay all fringe benefit contributions on a timely basis as required by Article VIII of its contract; and

**IT IS FURTHER ORDERED** that Defendant shall post a Surety Bond in an amount as set forth in the Schedule provided in Article VIII, Section 6(A) of the collective bargaining agreement, and thereafter remaining in compliance with Article VIII, Section 6(B) of said agreement; and

**IT IS FURTHER ORDERED** that Defendant shall produce for inspection and audit within ten (10) days of entry of the Order all of Defendant's books and records, without any limitation whatsoever, necessary for Plaintiffs to conduct a comprehensive audit for the calendar year 2003 through the date of said audit, said records to be produced at Plaintiffs' offices, located at 2277 E. Eleven Mile Road, Warren, Michigan, and ordering Defendant to pay any additional contributions and liquidated damages owed as a result of said audit, together with the costs of the audit; and

**IT IS FURTHER ORDERED** that Defendant shall pay Plaintiffs' costs and attorneys' fees incurred in bringing and prosecuting this present action pursuant to Section 502(g)(2) of ERISA, 29 U.S.C. Section 1132(g)(2), and Section 301 of the Labor-Management Relations Act, of 1947, as amended ("LMRA"), 29 U.S.C. Section 185.

**IT IS FURTHER ORDERED** that this Amended Judgment can be amended upon appropriate motion of Plaintiffs if it is determined that Defendant owes additional fringe benefit contributions and liquidated damages based on submission by the Defendant of additional payroll

reports and/or Plaintiffs' audit of Defendant's books and records.

This Court retains jurisdiction for purposes of enforcing this Amended Judgment and any amendments thereto.

s/John Corbett O'Meara  
John Corbett O'Meara  
United States District Judge

Dated: August 23, 2005

funds/consolidated electric/amended judgment.wpd